

**Report / Decision on Change or Cancellation of Condition(s)**

(Section 127)

**Application Number:** RMA92021819  
**Applicant:** Fulton Hogan Land Development Ltd  
**Site address:** 1 Whincops Road  
**Legal Description:** Lot 4 D.P. 446418, Lots 934 and 935 D.P. 458806  
**City Plan Zoning:** Living G (Halswell West) Zone

**Description of Application:** Change of conditions pursuant to Section 127

**Introduction**

The applicant is seeking to vary the conditions of an existing resource consent (RMA92021819) which was granted on a non-notified basis by the Resource Management Officer Subcommittee on 15 May 2013.

The consent allows for the Subdivision of land in four stages in the Longhurst residential estate to create 291 residential allotments including two future development lots; 2 local purpose recreational reserves (to vest); 3 roading allotments (to vest); 5 drainage reserve allotments (to vest); and utility allotments (for power kiosks) as required.

The proposed amendments would allow a variation to subdivision consent to be completed in six stages rather than four stages and new plans have been provided for approval. This amendment would make changes to conditions 1 and 2 of the subdivision consent as set out on page 1 of the application report.

The background to this application is provided by the applicant is follows:

*Fulton Hogan Land Development Limited was granted consent in May 2013 (RMA92021819) for a residential subdivision known as Stages 6 to 8 of the Longhurst residential development.*

*As a result of further detailed work on the engineering design and confirmation of the construction programme, as well as a wish to limit disruption to neighbours on Whincops road, Fulton Hogan Land Development Limited seeks to alter the staging of Longhurst 6 to 8. This will allow for example all subdivision construction works along Whincops Road to be undertaken within one stage (Stage 6c), as opposed to three stages as originally consented (Stages 6, 8A and 8B).*

*The original proposal was for four stages, whilst it is now proposed to undertake the development in six stages. This will allow the Fulton Hogan Land Developments Ltd to release sites onto the market quicker than may have been the case under the original subdivision staging.*

*The revised subdivision plan also appropriately identifies the balance lot that would have been created by this subdivision. Acknowledgment of this balance lot was missing from the original plan. This does not increase the number of allotments that this proposal creates, as an allotment would have been created regardless through the land transfer process.*

*Kiosk sites have also now been determined for the various stages covered by this consent. The attached plan now shows these locations.*

The application report provides a description of the existing environment.

**Statutory Considerations**

Section 127 of the Resource Management Act 1991 states:

**“127. Change or cancellation of consent condition on application by consent holder**

- (1) *The holder of a resource consent may apply to the consent authority for a change or cancellation of a condition of a consent, subject to the following:*
  - (a) *the holder of a subdivision consent must apply under this section for a change or cancellation of the consent before the deposit of the survey plan (and must apply under section 221 for a variation or cancellation of a consent notice after the deposit of the survey plan); and*
  - (b) *No holder of any consent may apply for a change or cancellation of a condition on the duration of the consent.*
- (2) *Repealed*
- (3) *Sections 88 to 121 apply, with all necessary modifications, as if -*
  - (a) *the application were an application for a resource consent for a discretionary activity; and*
  - (b) *the references to a resource consent and to the activity were references only to the change or cancellation of a condition and the effects of the change or cancellation respectively.*
- (4) *For the purposes of determining who is adversely affected by the change or cancellation, the local authority must consider, in particular, every person who -*
  - (a) *made a submission on the original application; and*
  - (b) *may be affected by the change or cancellation.*

### **Planning Framework**

The site is zoned Living G (Halswell West) Zone under the Christchurch City Plan. The Living G (Halswell West) Zone provides the ability and opportunity to plan and develop a mixed density and mixed use community comprehensively. The purpose of this zone is to allow maximum flexibility and incentive for developing the zone for residential activity in accordance with the framework of development plans in the Appendices to this part of the City Plan:

- (a) Outline Development Plan (Halswell West) (Appendix 3W);
- (b) Marker Buildings and Focal Points (Appendix 3W/a);
- (c) Movement Network Layer Diagram (Appendix 3W/b);
- (d) Blue Network Layer Diagram (Appendix 3W/c);
- (e) Green Network Layer Diagram (Appendix 3W/d); and
- (f) Reticulation Network Layer Diagram (Appendix 3W/e) and
- (g) Tangata Whenua Layer Diagram (Appendix 3W/f).

Pursuant to Section 127(3) the application must be assessed as a discretionary activity.

The proposal will not result in any additional non-compliances with rules in the City Plan.

### **Type of Application**

The first consideration that is required is whether the application can be treated as one for a change of conditions or whether it will result in a fundamentally different activity or one having materially different adverse effects, such that it should be treated as a new application. In my opinion this application can be considered as a variation to the original resource consent as the nature of the activity will not fundamentally change and the adverse effects will not be materially different from those associated with the original consent. My reasoning is that the proposed subdivision layout will not alter, only the staging of its completion

### **Has the applicant requested that the application be publicly notified? [Section 95A(2)(b)]**

No.

### **Actual and potential effects on the environment [Section 95A and Section 104(1)]**

I consider that the effects on the environment associated with the change/cancellation of conditions relate to the change in staging. The applicant's assessment of effects is as follows:

*The proposal allows the applicant to obtain title to various stages of the development in a manner that is more responsive to detailed engineering design and construction timeframes. Upgrade works to Whincops Road are required. As originally consented these works would have occurred within two different stages over two different construction seasons which would have created disruption for neighbours opposite the site. Undertaking this work within one stage will minimise this disruption for these neighbours.*

Additionally, detailed engineering design work undertaken following the granting of consent has identified that the proposed drainage reserve adjoining Quaifes Roads will need to be vested in Council as part of the same stage that involves the Whincops Road works. Engineering design also indicates that the most appropriate way to service proposed Lot 545 was not from within the area identified as Stage 6, but rather from the area identified as Stage 7. Altering the stages to ensure that this work can be undertaken at the most appropriate time will not have any adverse effects on the environment, and is considered to be good practice in terms of land development.

Increasing the number of stages, does not necessarily mean the development will take longer to complete. Rather it allows the developer to release sections onto the market in a more timely fashion. Once the works within each of the individual stages are complete the section 223/224 processes can start for that stage. Being able to release sections onto the market in a timely fashion is important for the recovery of the Greater Christchurch area following the Canterbury earthquakes.

Overall it is considered that the proposal will enable this development to proceed in an efficient manner that is responsive to market demand.

I do not have any concerns with this assessment. I therefore conclude that in terms of section 95A and 104(1) the effects on the environment and any relevant parties (i.e. neighbours) are less than minor.

**Despite the above, do any special circumstances exist in relation to this application which would lead you to conclude that the application should be publicly notified? If the answer is yes, why? [Section 95A(4)]**

No.

**Recommendation (A):** That, for the reasons outlined above, the application **need not be publicly notified** in accordance with Section 95A of the Resource Management Act 1991.

**Who may be considered to be adversely affected by the change or cancellation of condition(s)? Identify the properties on the attached plan. [Section 95E(1) and Section 127(4)]**

As outlined above I do not consider that there are any adversely affected parties.

**Has written approval been obtained from every person who is considered to be adversely affected by the activity? [Section 95E(3)]**

Not applicable.

**If the answer to the above question is no, is it unreasonable in the circumstances to seek the person's written approval? [Section 95E(3)(b)]**

Not applicable.

**Recommendation (B):** That the application be processed on a **non-notified** basis in accordance with Sections 95A – 95F of the Resource Management Act 1991.

**How do any relevant objectives, policies, rules or other provisions of the City/District Plan relate to the proposal? [Section 104(1)(b)(iv)]**

In my opinion this proposal is consistent with the objectives and policies of the City Plan especially those that seek a sustainable subdivision design (Policy 10.3.8, Part 11, Volume 3) as there are no changes to the subdivision layout.

**Are there any relevant provisions of a National Environmental Standard, National Policy Statement, Regional Plan, Regional Policy Statement or Coastal Policy Statement? [Section 104(1)(b)]**

No.

**Are there any other matters which are relevant and reasonably necessary to determine the application? [Section 104(1)(c)]**

Recovery Strategy for Greater Christchurch (<http://cera.govt.nz/recovery-strategy/overview/read-the-recovery-strategy>)

The Recovery Strategy for Greater Christchurch (the Recovery Strategy) prepared by CERA under the Canterbury Earthquake Recovery Act became operative on 1 June 2012. It is a statutory document that must be "read together with, and forms part of" other relevant legislation within the greater Christchurch area. The City and District Plans (and a number of other statutory documents) must not be interpreted or applied in a way that is inconsistent with the Recovery Strategy. Only Sections 3-8 of the Strategy have statutory effect./

"Recovery" is defined under the CER Act as including both restoration and enhancement (Section 3).

Granting consent to this application is not considered to be inconsistent with the Recovery Strategy as it does not conflict with any of the identified goals or priorities for recovery.

**The above considerations are subject to Part II of the Act. Is the application consistent with Part II? [Section 104(1)]**

The proposal is considered to be consistent with Part II matters in that the proposal will maintain the amenity of the surrounding environment, in accordance with Section 7(c) and 7(f) of the Resource Management Act 1991.

**Recommendation (C)**

That, for the reasons outlined above, the application **be approved** pursuant to Section 127 of the Resource Management Act 1991.

The conditions of consent shall now read as follows:

**1. Compliance with Application Information**

~~1.1 The development shall proceed in accordance with the information and plans submitted with the application. The Approved Consent Documentation has been entered into Council records as RMA92021819 (186 pages). In addition the survey plan when submitted to Council for certification, is to be substantially in accordance with the approved application plan being the Davie Lovell Smith plan numbered E.18228, 1 of 1, Revision 4 (R4) dated April 2013 and labelled Proposed Subdivision of Lot 4 D.P. 446418, Lot 934 D.P. 458806 and Lot 935 D.P. 458806 (stamped approved plan 1 of 2).~~

1.1a The development shall proceed in accordance with the information and plans submitted with the application. The Approved Consent Documentation has been entered into Council records as RMA92021819 (186 pages). In addition the survey plan when submitted to Council for certification, is to be substantially in accordance with the approved application plan being the Davie Lovell-Smith plan numbered E.18228 R5 dated September 2013 and labelled Proposed Subdivision of Lot 4 D.P. 446418, Lot 934 D.P. 458806 and Lot 935 D.P. 458806 (stamped approved plan 1a of 2).

**2. Staging**

~~2.1 The application may be completed in 6 stages as illustrated on the application plan the being the Davie Lovell Smith plan E.18228, 1 of 1, R4, dated April 2013 and entered into Council records as Approved Plan 1 of 2.~~

2.1a The application may be completed in 6 stages as illustrated on the application plan the being the Davie Lovell-Smith plan E.18228 R5 dated September 2013 and entered into Council records as Approved Plan 1a of 2.

### 3. New Roads to Vest

3.1 The new roads, being lots 968 to 971 are to be formed and vested in the Council to the satisfaction of the Subdivision Engineer with underground wiring for electricity supply and telecommunications.

### 4. Land to Vest as Drainage Reserve

4.1 Lots 962 to 967 are to vest in Council as Local Purpose (Drainage) reserve and are considered as part of the utility network.

### 5. Land to Vest as Recreation Reserve

5.1 Lots 960 and 961 are to vest in Council as Recreation Reserve.

### 6. General Engineering

#### Asset Design and Construction

6.1 All infrastructure assets to be vested in the Council are to be designed and constructed in accordance with the Christchurch City Council's Infrastructure Design Standard (the IDS) and the Construction Standard Specifications (the CSS).

#### Quality Assurance

6.2 The design and construction of all assets is to be subject to a project quality system in accordance with Part 3: Quality Assurance of the IDS.

- a. Submit a Design Report, Plans and Design Certificate complying with clause 3.3.1 to the Engineering Services Team, Building Operations Unit. The Design Report and engineering plans are to provide sufficient detail to confirm compliance with the requirements of the IDS and this consent.

**Please note** that while the hydraulic modelling for the water supply network has already been accepted, a revised Hydraulic Report for these stages will be required with the engineering plans.

- b. Submit a Contract Quality Plan for review by the Council and an Engineer's Review Certificate complying with clause 3.3.2.

***Physical works shall not commence until a Council Engineering Officer confirms that the above documentation has been received and accepted.***

- c. Submit an Engineer's Report complying with clause 3.3.3 and an Engineer's Completion Certificate complying with clause 3.3.3.

The Engineer's Report is to provide sufficient detail to confirm compliance with the requirements of the IDS and this consent, including compliance with consent conditions requiring mitigation measures in respect to liquefaction related hazards. This report and certificate is to be submitted prior to certification pursuant to section 224c of the Act.

**Note:** Part 3 of the IDS sets out the Council's requirements for Quality Assurance. It provides a quality framework within which all assets must be designed and constructed. It also sets out the process for reporting to Council how the works are to be controlled, tested and inspected in order to prove compliance with the relevant standards. It is a requirement of this part of the IDS that the applicant provides certification for design and construction as a pre-requisite for the release of the 224c certificate. The extent of the documentation required should reflect the complexity and/or size of the project.

In addition to the above, the applicant is to design all infrastructure to resist the effects associated with earthquake induced liquefied soils. All Liquefaction hazard mitigation shall be designed for a 1 in 150 year return period serviceability limit seismic design event and a 1 in 500 year return period ultimate limit state seismic design event as defined in NZS1170.5.2004. With respect to infrastructure to be vested it shall include, but not limited to,

gravity and pressure pipelines, manholes, various chambers, sumps, valves (chambers) hydrants, pump and vacuum station/s and associated stormwater treatment devices, **but shall exclude road pavements.**

- 6.3 The surveyor is to forward a copy of the title plan and survey plan to the processing planner, Resource Consents and Building Policy Unit, as soon as the plan has been lodged (or earlier is possible) for checking at Land Information New Zealand, so that Council may enter it into the Council Geographical Information System.
- 6.4 The sewer, stormwater and water supply works proposed for this subdivision consent to be on private land must be installed and inspected under a building consent obtained from the Building Operations Unit. A Certificate of Compliance is to be provided with the 224 request.

Refer to form B002 at

<http://www.ccc.govt.nz/homeliving/buildingplanning/forms/index.aspx>

Service Connections (sewer & stormwater) to Council Services in the street are authorised work and must be carried out by a Council authorised drainlayer. This includes all drainage laterals on roads, footpaths and verges that connect the property to public drains. A list of Council authorised drainlayers is available on request or online at website

<http://www.ccc.govt.nz/business/constructiondevelopment/authoriseddrainlayers.aspx>

- 6.5 A CCTV (Video) inspection using a pan and tilt camera for all gravity pipelines of 150mm diameter and above as per the Christchurch City Council Standard Specifications CSS: Part 3 Section 14.2.6. This shall only apply to pipes being vested in Council ownership which cover more than one manhole length. This is to be done after all construction works have been completed. The DVDs/tapes shall be labelled with the RMA consent number and address of the development and accompanied by CCTV log sheets which show a schematic layout of the pipeline videoed.

All pipelines shall be free of debris and cleaned with an HP cleaner within 24 hours prior to inspection. Any gravel and stones shall be taken out of the pipeline; it is not acceptable to flush stones and gravel further down the line.

The CCTV/video footage of the pipeline being vested shall be forwarded to the Subdivision Engineer in DVD format with log sheets, engineering plan and a copy of the consent conditions at least 10 working days prior to the CCC Final Drainage Inspection. Asset and Network Planning Unit staff will review a maximum of 1,000 metres of footage within 10 working days and respond accordingly.

- 6.6 The applicant's consultant shall provide the Council with 'As-Built' plans and data for all infrastructure and private work, complying with Part 12 As-Built's of the CCC Infrastructure Design Standards.

## **7. Water Supply**

- 7.1 All lots shall be served with a water supply to their boundary. Submains shall be installed to 10 metres past each lot boundary, or to the middle of the lot, whichever is the greater.
- 7.2 Rear lots shall be served with laterals, installed by a Licenced Certified Plumber, into their net site areas under a Building Consent for each stage. A copy of the Code of Compliance Certificate shall be forwarded through to the Council's Engineering Team as part of the Section 224C application.
- 7.3 The water supply shall be designed in accordance with the Infrastructure Design Standard and in general accordance with the NZ Fire Service Fire Fighting Water Supplies Code of Practice NZS 4509:2008 to the satisfaction of the Asset & Network Planning Team, City Environment Group.
- 7.4 This development will require full high pressure water reticulation to the Council's specifications and approval at the consent holder's expense. Engineering drawings and hydraulic calculations shall be sent to the Subdivision Engineering Team for approval by Ian Johnson of the Asset & Network Planning Team.
- 7.5 The water reticulation shall be designed by a suitably qualified person using the parameters set out in the attached form "Parameters for the Design of Mains Reticulation for Subdivisions".

## **8. Sewage**

- 8.1 Sanitary sewer laterals shall be laid to at least 600mm inside the net site area of all residential lots at the subdivision stage. The laterals shall be installed at a sufficient depth to ensure that adequate fall is available to serve the furthest part of the lots.

- 8.2 Network sewers to be vested in Council shall be a minimum of 150mm diameter and where they are outside the road reserve shall be covered by easements in gross in favour of Council.
- 8.3 All private sewer laterals (serving rear lots) shall be installed under a single global Building Consent by a Registered Drain Layer and the Code of Compliance Certificate forwarded to Council's Subdivision Team as part of the Section 224(c) Application.
- 8.4 Where the number of lots exceeds the Building Act drainage discharge requirements for a 100mm common sewer pipe, a 150mm private common sewer pipe shall be installed.

## **9. Stormwater**

- 9.1 Stormwater laterals are to be laid to at least 600mm inside the building area of all lots at the subdivision stage. The laterals are to be laid at sufficient depth to ensure protection and adequate fall is available to serve the furthest part of the lot.
- 9.2 Stormwater from all impervious areas shall discharge to the Quaifes-Murphys stormwater facility designed and constructed under previous consents. The design shall meet all applicable CCC requirements including the Waterways, Wetlands and Drainage Guide (WWDG - 2003 including 2010/11 updates for Chapters 6 and 21), Infrastructure Design Standards (IDS - 2010), CCC Civil Engineering Construction Standard Specifications (CSS - 2010), and the Southwest Area Christchurch Stormwater Management Plan.
- 9.3 The stormwater mitigation facilities shall meet all relevant conditions of the South West Area Stormwater Management Plan including the following conditions:
- The runoff resulting from the first 25mm of rainfall from impervious areas shall be captured in the first flush basin prior to discharge.
  - Secondary treatment of the first flush to be provided offsite in a future stormwater wetland to be designed and constructed by, or under direction of, CCC.
  - The first flush shall be attenuated for at least 24hrs on average.
  - Runoff from storms greater than the first flush and up to the two per cent Annual Exceedance Probability (2% AEP) critical duration storm shall be attenuated in the Quaifes-Murphys facility prior to discharge into Quaifes Road Drain.
- 9.4 Stormwater discharge authorisation for this application shall be obtained from either the Christchurch City Council under the South West Area Stormwater Consent (Discharge Permit CRC120223) or by a separate resource consent obtained from the Environment Canterbury.
- 9.5 The surface water management and mitigation system (i.e. pipes, swales, first flush, detention basins) shall be designed to ensure complete capture and retention of all stormwater runoff from the site for all rainfall events up to and including the 2% AEP critical storm. This will require internal reticulation and conveyance to meet Council's inundation standards as specified in the WWDG. Further, the conveyance and inlet system to the first flush and detention areas shall be designed to ensure that even for events where the critical peak stormwater runoff flow rate occurs that all resulting runoff shall actually reach the first flush and detention areas. A combination of the primary and secondary conveyance system may be used to ensure this level of service is achieved.
- 9.6 The primary stormwater reticulation network shall be designed to convey, at a minimum, the critical 20% AEP storm event. No nuisance flooding of property shall occur during the critical 10% AEP event and no flooding of buildings shall occur during the critical 2% AEP event.
- 9.7 The Quaifes Road stormwater swale to be located within Lot 966 shall be designed to convey at a minimum the critical 2% AEP event for its entire tributary catchment.
- 9.8 The designer of the surface water management system shall provide a report which identifies all secondary flow paths proposed to manage flows beyond the capacity of the stormwater reticulation network (up to the critical 2% AEP event). All secondary or emergency stormwater flowpaths are to be identified and protected by an easement in favour of CCC, if required.
- 9.9 Subsoil drains designed to intercept groundwater and/or lower groundwater levels shall be designed in accordance with the WWDG and the CSS.
- 9.10 Safe and reasonable access to stormwater facilities for maintenance and sediment removal shall be provided and designed in accordance with clause 6.8 & 6.9 – WWDG.

- 9.11 Engineering plans, specifications and calculations for the design and construction of all stormwater infrastructure and mitigation areas are to be submitted with the engineering plans for approval by Network and Asset Planning – Greenspace Unit.
- 9.12 The consent holder shall operate and maintain the stormwater treatment system and infrastructure for a period of 12 months following the issue of the section 224(c) certificate, and in accordance with the appropriate clauses above.
- 9.13 The applicant shall provide as-built plans of the surface water management systems, including planting, and confirm that they have been constructed in accordance with the approved plans and comply with the IDS, particularly Part 3: Quality Assurance and Part 12: As-Builts.
- 9.14 The consent holder shall provide easements in gross over all stormwater infrastructure that is located outside of legal road or utility reserve areas to be vested in Council.
- 9.15 A maintenance and operations manual for all stormwater facilities shall be provided and shall form part of the Asset and Network Planning – Greenspace Unit acceptance. This manual is to include a description of the activity, the design assumptions, maintenance schedule and monitoring requirements. Note: This is considered to be a living document that will be updated as various subdivision stages progress.
- 9.16 A Landscape Design Report and Plan(s) for all stormwater facilities, including planted landscape buffers is to be submitted for the Council’s Asset and Network Planning - Greenspace Unit acceptance. The landscape design report and plans are to provide sufficient details to confirm compliance with the requirements of the IDS, the WWDG and the CSS Part 7: Landscapes. All landscape works required by this condition are to be carried out in accordance with the accepted report and plan(s) at the consent holder’s expense as a mitigation measure. The consent holder shall maintain the works and planting for 12 months from the time the section 224 certificate is issued.
- 9.17 An Engineer’s Report for the Landscape Works is to be submitted for acceptance by Council’s Asset & Network Planning – Greenspace Unit on completion of the physical works and prior to the issue of a 224(c) Conditions Certificate. The Engineers Report is to provide sufficient detail to confirm compliance with the IDS - see Part 3 Quality Assurance 3.3.4 Engineers Report and the CSS Part 7, 14.0 Establishment and the WWDG.

**Advice note:** This documentation will be used after the completion of the 12 month Establishment period as part of application for the final handover and acceptance of the Landscape works, assets to Council (Greenspace) Unit.

- 9.18 An Erosion and Sediment Control Plan (ESCP) is to be submitted for review as part of the design report. The ESCP is to include (but is not limited to):
- Site description, i.e. topography, vegetation, soils etc
  - Details of proposed activities.
  - A report including the method and time of monitoring to be undertaken.
  - A locality map.
  - Drawings showing the site, type and location of sediment control measures, onsite catchment boundaries and offsite sources of runoff.
  - Drawings and specifications showing the positions of all proposed mitigation areas with supporting calculations if appropriate.

The performance criteria for the ESCP, unless directed by Council through the engineering acceptance process, will be based on ECan’s Erosion and Sediment Control Guidelines (2007 or current).

- 9.19 The ESCP is to be implemented on site during the subdivision construction phase and no works are to be commence until such time as the ESCP has been accepted.
- 9.20 The ESCP is to be designed by a suitably qualified person and a design certificate supplied with the plan. (Use the certificate from Appendix IV of the CCC Infrastructure Design Standard, Part 3).
- 9.21 Pursuant to Section 128 of the Resource Management Act 1991 Council reserves the right, during the construction phase of the subdivision, to review the conditions 9.18 to 9.20 relating to the ESCP, and to impose further conditions, if necessary, to appropriately manage erosion and sedimentation.

## **10. Minimum Levels and Filling**

- 10.1 To be considered satisfactory for sewer and stormwater drainage, minimum ground levels shall be based on a level of 100 mm above the kerb at the street frontage, plus a grade of 1:500 to the rear boundary of each lot.
- 10.2 All filling exceeding 300 mm above excavation level shall be in accordance with the Code of Practice for Earthfill for Residential Purposes (NZS 4431 : 1989). A duly completed certificate in the form of Appendix A of NZS 4431 shall be submitted to the Council for all lots within the subdivision that contain filled ground, prior to the issue of a Section 224 Conditions Certificate.
- 10.3 The consent holder is to submit a report and calculations detailing any filling proposed against existing boundaries and the mitigation proposed to avoid adverse effects on adjoining properties.

## **11. Access and Roding**

- 11.1 The consent holder shall construct access for rear lots from the road carriageway to the road frontage in accordance with the Council's Construction Standard Specification, Part 6, Clause 6 and Standard Details SD606, SD607, SD608, SD611, SD612, SD615 and SD616. For new formation, Clegg Hammer test results complying with clause 6.5 "Metalcourse" are to be supplied with the Section 224C Conditions Certificate request.
- 11.2 The access formation shall be designed and constructed in accordance with the CCC Infrastructure Design Standard (IDS). Physical works shall not commence until a Council engineering officer confirms that the Design Report, Plans and Design Certificate complying with clause 3.3.1 of the IDS and the Contract Quality Plan and Engineer's Review Certificate complying with clause 3.3.2 have been received by Council.
- 11.3 The road extending south-east from Lot 961 through to Lot 960 shall be finished in a cobbled surface with the final design to be approved by the Asset and Network Planning (Transport) Unit.
- 11.4 The formation of the two hammer-head right of ways in Stage 6 shall incorporate cobbled thresh-holds, header strips at intervals along their lengths and surface formation detailing along their edges, with the final design to be approved by the Council Urban Design and Regeneration Unit.
- 11.5 That the 16.50 metre wide road bounding the large reserve area in Stage 5A incorporate a 2.5 metre wide footpath/cycleway along its boundary with Stages 5A and 3A, but also extending to connect with the detention basin adjacent to Lot 436.

## **12. Reserves, Streetscapes and Open Spaces**

### Development Contributions Policy 2009 – 2019 (DC Policy)

- 12.1 The lot areas identified as recreation reserve land have been accepted as creditable payment towards the Reserve Development Contributions for Stages 6, 7, 8A and 8B. The remaining reserve development contributions payable for the stages may be credited against agreed recreation reserve developments which have been signed off by the Asset and Network Planning (A and NP), Greenspace Unit on "Accepted" landscape plans.
- 12.2 If upon application for Section 224C Certificate for Stages 6, 7, 8A and 8B there are any reserve development contributions not credited towards "Accepted" recreation reserve land or developments then the outstanding monetary value of the credits are to be secured against future development stages through and encumbrance instrument.

### Recreation Reserves

- 12.3 In Stage 6, Lot 960 (444 m<sup>2</sup>) and Lot 961 (4001 m<sup>2</sup>) in Stage 8A have been accepted as Recreation Reserves. The agreed value of this reserve land is to be credited against the reserve development contributions.

### Local Purpose (Drainage) Reserve

- 12.4 In Stage 6, Lot 962, Stages 8A and 8B, Lots 963, 964, 965, 966 and 967 shall be vested as Local Purpose (Drainage) Reserves and shall hold no credits towards the final Reserve Development Contribution assessment.

### Design and Development of Reserves, Streetscapes and Open Spaces

- 12.5 Landscape plans for the reserves, streetscapes and open spaces are to be submitted as part of the Landscape Design Report to the A & NP (Greenspace) for acceptance. All landscaping is to be carried out in accordance with the Accepted plan.
- 12.6 Drainage reserve lots 962 to 965 shall incorporate sealed footpaths.
- 12.7 Where the Consent Holder has applied to vest assets as detailed on Accepted Landscape Plans, but the A and NP (Greenspace) have not agreed to the value of the assets being credited against the Reserve Development Contributions or to reimburse the value of the assets to the Consent Holder, then the Consent Holder may vest the assets at their own expense.
- 12.8 The Landscape Design Report and plans are to provide sufficient detail to confirm compliance with the requirements of the IDS, the CSS: and the WWDG: 2003. All landscaping required by this condition is to be carried out in accordance with the accepted report and plan(s) at the Consent Holder's expense, unless otherwise agreed. The Consent Holder shall maintain the works for 12 months for the Establishment Period (Maintenance and Defects Period) from the time of issue of the Section 224(c) Conditions Certificate.

### Establishment Period (Defects Liability Period)

- 12.9 The Establishment Period (Defects Maintenance) will include an inspection by Greenspace Unit staff after the first 6 months. Any diseased, dead or replacement plantings are to be replaced at the Consent Holder's expense. The Establishment Period and the term on the bond shall be extended by a further 12 months for the replacement planting(s). Refer: CSS, Section Establishment. The Consent Holder is to keep an accurate and up-to-date monthly report on plant condition and establishment works undertaken. The report shall be submitted, if requested, by the Engineer within five days of the end of each month during the Establishment Period (Refer sample report: *Landscape Construction Monthly Establishment Report*, CSS, Part 7 Appendix 1).

### Establishment Bond

- 12.10 The IDS Part 2, Section 2.13, Bonds, and IDS Part 10, Section 10.1 Establishment. The Consent Holder shall enter into a bond with the Council (Greenspace Unit) to the value of 50% of the total cost of plant material for the planted areas as detailed on the accepted planting plans as landscape works, including reserve trees, gardens, shrubs, swale and grassed areas. The bond shall be held for the Establishment Period of 12 months (maintenance-defects period) from the issue of Section 224 Condition Certificate. The Establishment Period and the term on the bond shall be extended by a further 12 months for the replacement planting(s), if required.

### Street Trees and Street Gardens

- 12.11 The Consent Holder shall submit a plan(s) for the proposed street trees and street gardens (if any) for the Council's A and NP (Greenspace) Teams acceptance. The plan(s) are to provide sufficient details to confirm compliance with the requirements of the IDS (current version) and the CSS Part 7: Landscapes (current version). All landscape works required by this condition are to be carried out in accordance with the accepted report and plan(s) at the Consent Holder's expense. The Consent Holder shall maintain the works and planting for 12 months from the date of issue of the section 224(c) Conditions Certificate.
- 12.12 The Consent Holder shall enter into a bond with Council A & NP (Greenspace) Team to the value of 50% of the cost to replace and replant all street trees. The bond shall be held for the Establishment Period of 12 months from the time the 224 certificate is issued.

### **Advice Note:**

Refer to IDA Part 10: 10.8.11 Locations of trees in streets, and CSS Part 7: 4.0 Supply of Tree and Plant Materials.

### Grassing of Reserves, Streetscapes and Open Spaces

- 12.13 All grass areas are to be in accordance with a minimum of the CSS; roadside berms as per Part 1: 31.2, Berm Mix; Detention basin Part 1, 31.5 Low Fertility and Drought Mix.

**Advice Note:** Please make grass seed certificates available for inspection if requested.

### Reserve Boundary Fences

- 12.14 The Consent Holder shall comply with the IDS 10.6.9 Boundary Fencing. Reserve boundary fencing over 1.2 m high to be at least 80% open in order to enable clear visibility for neighbouring properties. The height, style and location of the fence shall be submitted to the Council's A & NP (Greenspace) Team for acceptance, prior to work commencing. The Council will contribute towards the cost of the boundary fence up to a maximum of \$25.00 per metre as per the Fencing Act. If the Consent Holder would like to install a boundary fence of greater value than the Council's maximum contribution they may do so at their own expense, providing it complies with the IDS.

### Final Completion / Handover

- 12.15 The Consent Holder shall submit, if requested, the required completion documentation in accordance with IDS Part 2:2.12 Completion of Land Development Works and the Quality Assurance System to provide evidence that the work is completed in accordance with the agreed standards and conditions of this consent. This is to be submitted, if requested, on completion of the 12 month Establishment Period, prior to formal handover to Council and release of the Establishment Bond.

### As – Builts

- 12.16 The Consent Holder shall submit As-Built plans showing all landscape works including street trees, and paths through drainage reserves and confirm that they have been constructed in accordance with the accepted plans and comply with the IDS particular Part 12 (As Builts).

## **13. Transport**

- 13.6 1.5 metre wide footpaths shall be formed along the eastern road frontages of Lots 408, 438 and 520 to 522.

## **14. Road Widths**

- 14.1 Road widths shall be in accordance with the Davie Lovell Smith plan being plan E. 18228 E03.0 Rev O, dated February 2013 (stamped, approved plan 2 of 2), but with the exception that the 12.0 metre wide road running south-east from Lot 961 to Lot 960 shall have a roadway width of 7.5 metres as a minimum, as opposed to the 7.0 metre width proposed.

## **15. Geotechnical**

- 15.1 That the Quality Assurance Condition under Asset Design and Construction be amended to include a statement regarding Liquefaction and Lateral Spread Hazard Mitigation. This Clause should read:

“Prior to the commencement of physical works on site for the construction of the subdivision including infrastructure, the Consent holder shall submit to the Engineering Services Team a Design Report, Plans and Design Certificate complying with clause 3.3.1 of the IDS. The Design Report and engineering plans are to provide sufficient detail to confirm compliance with the requirements of the IDS and this Consent, including compliance with Condition 15.2 Liquefaction and Lateral Spread hazard Mitigation. This report can be submitted as two individual design reports being infrastructure as one part in the IDS Design Report and the remainder of the site as a second part in a geotechnical report.”

### Liquefaction and Lateral Spread Hazard Mitigation.

- 15.2 That the liquefaction and lateral spread hazard mitigation described in the Geotechnical report “Halswell West Residential Development Longhurst Stages 6 and 7 Geotechnical Assessment dated 4 October 2012 Project number 200376-001 prepared by Aurecon,” shall be integrated into the design of the civil work and carried out on site at the subdivision engineering works stages, including that:

- All Liquefaction and Lateral spread hazard mitigation shall be designed for a SLS (serviceability limit state) seismic event and an ULS (ultimate limit state) seismic design event as defined by DBH in the Guidance Document: ‘Revised Guidance on Repairing Houses affected by the Canterbury Earthquake Sequence’ (November 2011).
- All infrastructure assets that are to be vested in the Council shall be designed and constructed in accordance with the latest version of the IDS (post-earthquake) and of the Construction Standard Specifications (CSS).

- To be considered suitable in terms of Section 106(1)(a) and (b) of the Resource Management Act 1991 the applicant is to design all infrastructure to resist the effects associated with earthquake induced liquefiable soils.

15.3 Prior to the commencement of physical works on site the Consent Holder shall submit to the Council's Engineering Services Team a Contract Quality Plan for review by the Council subdivision engineer, along with the "Engineer's Review Certificate" in compliance with clause 3.3.2 of the IDS.

Physical works shall not commence until a Council Engineering Officer confirms that the above documentation has been received and accepted.

15.4 Prior to the request for the section 224(c) certificate the Consent Holder shall supply an updated Final Geotechnical report taking into account the mitigation measures put in place during the Construction phase to minimise both the liquefaction potential and lateral spread potential of the land during a SLS seismic event and a USL seismic event.

The report shall also recommend the Geotechnical Technical Category of the land in terms of the DBH Technical Classification Guidelines 2011.

15.5 That a consent notice in terms of Section 221 of the Resource Management Act be registered on the titles for all lots that are recommended in the final Geotechnical Report with a Technical Category 2 Classification as per condition 15.6.

If for any reason that some of the lots are given a Geotechnical Technical Category 3 Classification, then these lots should be withdrawn from the development and shown as balance lots that do not meet the requirements of Section 106 of the Resource Management Act without further mitigation measures being undertaken.

#### Consent Notice

15.6 That a consent notice in terms of Section 221 of the Resource Management Act be registered on the titles for all lots with a recommended Geotechnical Technical Category 2 Classification stating that:

*"Any structure requiring a Building Consent, in terms of the Building Act provisions, shall have specific foundation design by a Chartered Engineer, or by an appropriately qualified Geotechnical Engineer. The design shall take into consideration the potential for liquefaction and associated effects (i.e. vertical settlement and lateral spread) and shall be at least in accordance with MBIE Guidelines – Foundation Design for a TC2 area (i.e. raft foundations or pile foundation)."*

### **16. Telecommunications and Energy Supply**

16.1 All lots shall be provided with the ability to connect to a telecommunications and electrical supply network at the boundary of the net area of each lot.

16.2 As evidence of the ability to connect, the consent holder is to provide a copy of the reticulation agreement letter from the telecommunications network operator and a letter from the electrical energy network operator, or their approved agent.

### **17. Right of Way Easements (Private Ways)**

17.1 The rights of way easements as set out on the application plan shall be duly granted or reserved.

17.2 The registered users of the right of way shall maintain the access and the liability and apportionment of the costs of maintenance shall be written into the legal document granting or reserving the right of way easement.

### **18. Service Easements**

18.1 The service easements as set out on the application plan or required to protect services crossing other lots shall be duly granted or reserved.

18.2 Easements over adjoining land or in favour of adjoining land are to be shown in a schedule on the Land Transfer Plan. A solicitor's undertaking will be required to ensure that the easements are created on deposit of the plan.

## **19. Easements over Reserves**

- 19.1 Easements over land that is to vest in Council as reserve are to be shown on the survey plan in a Schedule of Easements. Evidence of approval by the Reserves Officer Subcommittee of Council to create the easements is required.

## **20. Easements in Gross**

- 20.1 The legal instruments for easements in gross in favour of Council are to be prepared by Council's consultant solicitor at the consent holder's cost. The consent holder's solicitor is to contact Anderson Lloyd Lawyers (Mike Kerr) requesting the preparation of the easement instruments.

## **21. Road Names**

- 21.1 The new roads are to be named.
- 21.2 A selection of names in order of preference is to be submitted for each new road. For historical purposes a brief explanation of the background for each submitted name is preferred.
- 21.3 The allocated names when approved are to be shown on the survey plan submitted for certification.
- 21.4 Post and nameplate fees are to be paid.

**Note:** Nameplates are not ordered from the manufacturer until the fee has been paid and usually take six weeks to manufacture. The fees payable will be those that are current at the time of payment. (\$172/post and \$370/nameplate as at 1<sup>st</sup> July 2011).

## **22. Public Utility Sites**

- 22.1 Any public utility site and associated rights of way easements and/or service easements required by a network operator are approved provided that they are not within any reserves to vest in Council.

## **23. Goods and Services Taxation Information**

- 23.1 The subdivision will result in non-monetary contributions to Council in the form of land and/or other infrastructure that will vest in Council. Council's GST assessment form is to be completed to enable Council to issue a Buyer Created Tax Invoice.

## **24. Accidental Discovery**

- 24.1 The consent holder shall follow the Historic Places Trust Accidental Discovery Protocol.
- 24.2 Should any archaeological material or sites be discovered during the course of work on the site, work in that area of the site shall stop immediately and the appropriate agencies including the New Zealand Historic Places Trust and the Manawhenua shall be contacted immediately.

## **25. Amenity**

- 25.1 The applicant shall employ dust mitigation measures such as watering, removal of debris, stabilisation of stockpiles and exposed surfaces etc, to prevent dust, sand and materials causing a nuisance beyond the subject site throughout the construction period.
- 25.2 Surplus excavated material is to be disposed of away from the site to a Council approved destination. Topsoil may be retained for landscaping.
- 25.3 The hours of operation of work shall be restricted to 7.00am to 6.00pm, Monday to Friday and 8.00am to 6.00pm Saturday except that no works shall take place on public holidays. This restriction on the hours of operation excludes any work required for compliance with the erosion and sediment control measures required under conditions 8.19, 8.20 and 25.1. (Change condition references)
- 25.4 All construction work on the site shall be designed and conducted to ensure that construction noise from the site does not exceed the noise limits in the following table. Sound levels shall be measured and assessed in accordance with the provisions of NZS 6803:1999 Acoustics – Construction noise.

Time Period	Weekdays (dBA)		Saturdays (dBA)		Sundays and Public Holidays (dBA)	
	L <sub>eq</sub>	L <sub>max</sub>	L <sub>eq</sub>	L <sub>max</sub>	L <sub>eq</sub>	L <sub>max</sub>
0630 – 0730	60	75	45	75	45	75
0730 – 1800	75	90	75	90	55	85
1800 – 2000	70	85	45	75	45	75
2000 – 0630	45	75	45	75	45	75

25.5 The consent holder shall be required to maintain a complaints register and this record shall be made available to the Council to view within five working days of any request.

## 26. Density and Urban Design

26.1 A consent notice will be required to be registered on the following titles to record the following:

### Lots 409 and 410

- a. These lots are in the Density A Area
- b. The following minimum densities shall be achieved within each of these lots:

Lot 409: 4 residential units  
Lot 410: 5 residential units

- c. Any dwelling erected on Lots 409 and 410 must be a two storey or three storey construction.

### Lots 438, 444, 485 and 520

- a. That any dwelling constructed on these lots must be of two storey construction.

Lots 391 to 396, 400 to 408, 411 to 416, 417 to 423, 425, 426, 427 to 435, 437, 445 to 459, 460, 464 to 476, 486 to 519, 521, 522, 525 to 528, 530 to 545, 560 to 566, 570 to 574, 605 to 612, 619 to 621, 644 to 646, and 658 to 684

- a. These lots are in the Density B Area.
- b. Where site coverage is above 40 per cent, but not exceeding 45 per cent, then the following requirements apply:
  - The maximum height of any dwelling shall be 5.5 metres;
  - The side boundary closest to the garage shall be landscaped from the road boundary for a width of a 600 mm and depth of at least 4.5 metres, so as to form a hedge along that boundary;
  - Each front yard shall maintain a 6.5 metre width, or in the case of allotments between 10 and 10.4 metres wide, a 6 metre width shall be maintained (measured parallel to the road or right of way, as the case may be) for its entire depth that does not contain any of the following: driveway, garage, carport, vehicle parking and manoeuvring areas.

An interpretation is also provided in relation to what constitutes a “front yard”. It is as follows:

#### *“Interpretation*

- (i) *The front yard is that part of the site between the road or right of way and the front walls to the dwelling that face the road or right of way.*
- (ii) *For the purposes of this condition, in the case of corner sites there shall only be one front yard as determined by (i) above.”.*

### Lots 439 to 443 and Lots 478 to 484

- a. These lots are in the Density B Area.
- b. Where site coverage is above 40 per cent, but not exceeding 45 per cent, then the following requirements apply:
  - The maximum height of any dwelling shall be 5.5 metres;

- The side boundary closest to the garage shall be landscaped from the road boundary for a width of a 600 mm and depth of at least 4.5 metres, so as to form a hedge along that boundary;
- Each front yard shall maintain a 6.5 metre width, or in the case of allotments between 10 and 10.4 metres wide, a 6 metre width shall be maintained (measured parallel to the road or right of way, as the case may be) for its entire depth that does not contain any of the following: driveway, garage, carport, vehicle parking and manoeuvring areas.

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- (i) *The front yard is that part of the site between the road or right of way and the front walls to the dwelling that face the road or right of way.*
  - (ii) *For the purposes of this condition, in the case of corner sites there shall only be one front yard as determined by (i) above.”.*
- c. Where site coverage is greater than 45 per cent, but not exceeding 50 per cent, then the requirements in clause b. above shall apply, but in addition, the following requirement also applies:
- The cladding of the front elevation of any dwelling unit must be different in materials and finished colour to any dwelling units on adjoining sites, but with the exception that if the dwelling is a part of a duplex it may be finished in the same colours and materials as the other unit in the duplex.

Lots 390, 397 to 399, 424, 436, 461 to 463, 477, 523, 524, 529, 546 to 559, 567 to 569, 575 to 604, 613 to 618, 622 to 643 and 647 to 657.

- a. These lots are in the Density C Area.
- b. Where site coverage is above 35 per cent, but not exceeding 40 per cent, then the following requirement applies:
  - The maximum height of any dwelling shall be 5.5 metres;

## **27. Land contamination**

27.1 If during development works, potentially contaminated or contaminated materials are encountered [e.g. staining, odours, content, appearance [list not exhaustive]], these materials should be isolated and all works involving them ceased immediately. Council's Team Leader, Environmental Compliance Team should be contacted in the first instance. The services of a suitably qualified and experienced [contaminated land] specialist must be commissioned by the applicant to undertake the appropriate investigation and assessment of the materials and if proven contaminated, they will recommend suitable remedial actions to manage the risks posed. All works will be undertaken by the specialist in accordance with the National Environmental Standard for Assessing and Managing Contaminants in Soil Protect Human Health and associated documents. If significant contamination is encountered on site, subsequent consenting could be required, the specialist will keep the applicant and the Team Leader, Environmental Compliance Team appraised.

## **28. Restriction on Issue of Section 224(c) Conditions Certificate**

28.1 No certificate will be issued under section 224(c) of the Resource Management Act 1991 until all lots are connected to the reticulated sewerage network via an approved outfall being:

- a. future Wastewater Pumping Station (PS105) located near the Hayton/Wigram intersection, which is scheduled for completion in mid 2013; or
- b. an alternative outfall as approved in writing by the Unit Manager-Asset and Network Planning (or equivalent Council Officer), Christchurch City Council.

## **29. Geodata**

29.1 The surveyor is to forward a copy of the title plan and survey plan to the Subdivision Planner (that issued the consent), Resource Consents & Building Policy Unit as soon as the plan has been lodged (or earlier if possible) for checking at Land Information New Zealand for entering into the Council GIS system.

### 30. Duration of Consent

30.1 The period within which this consent may be given effect to shall be 5 years.

#### **Advice Notes:**

##### **Engineering General**

The consent holder is required to mitigate any adverse affects on adjoining properties. Failure to undertake such works may mean that the consent holder has some responsibility to adjacent owners at law.

This consent has conditions requiring engineering input. The time incurred by the Engineers is to be invoiced and paid prior to the release of the Section 224 Resource Management Act 1991 certificate.

##### **Lighting in Private Ways**

Council does not require lighting within private ways. Council will not accept the ongoing maintenance or running costs associated with the lighting within the private way. Any proposal to light the private way shall include a method of payment of the ongoing costs by the benefiting owners.

##### **Building consent requirements**

This resource consent has been processed under the Resource Management Act 1991 and relates to planning matters only. You will also need to comply with the requirements of the Building Act 2004. Please contact a Building Consent Officer (941-8999) for advice on the building consent process.

##### **Reimbursements of costs by Council**

Where infrastructure, with greater capacity than would otherwise be required to service the land subject to the application, is to be constructed, the consent holder and the Council will agree in a Memorandum of Understanding to key matters regarding the design, construction and payment for such infrastructure

##### **Reserve Contributions**

The lot areas identified as recreation reserve land have been accepted as creditable payment towards the Reserve Development Contributions for Stages 6, 7, 8A and 8B. The remaining reserve development contributions payable for the stages may be credited against agreed recreation reserve developmnents which have been signed off by the Asset and Network Planning (A and NP), Greenspace Unit on "Accepted" landscape plans.

If upon application for Section 224C Certificate for Stages 6, 7, 8A and 8B there are any reserve development contributions not credited towards "Accepted" recreation reserve land or developments then the outstanding monetary value of the credits are to be secured against future development stages through and encumbrance instrument.

In Stage 7, Lot 960 (444 m<sup>2</sup>) and Lot 961 (4001 m<sup>2</sup>) have been accepted as Recreation Reserves. The agreed value of this reserve land is to be credited against the reserve development contributions.

In Stage 6, Lot 962 and in Stages 8A and 8B, Lots 963, 964, 965, 966 and 967 shall be vested as Local Purpose (Drainage) Reserves and shall hold no credits towards the final Reserve Development Contribution assessment.

##### **Development Contribution Assessment**

A developments contribution assessment will be provided when available and must be paid prior to the issue of a section 224(c) certificate.

#### **LANDUSE CONSENT**

**Recommendation:** That for the above reasons the landuse consent application **be granted** pursuant to Sections 104, 104B, 104D and 108 of the Resource Management Act 1991, subject to the following conditions:

1. The development shall proceed in accordance with the information and plans submitted with the application and includes the stamped approved plans RMA92021819 pages 1 and 2 of 2.
2. That any dwelling constructed on Lots 438, 444, 485 and 520 must be of two storey construction.

3. That for Lots 391 to 396, 400 to 408, 411 to 416, 417 to 423, 425, 426, 427 to 435, 437, 445 to 459, 460, 464 to 476, 486 to 519, 521, 522, 525 to 528, 530 to 545, 560 to 566, 570 to 574, 605 to 612, 619 to 621, 644 to 646, and 658 to 684, all of which are in the Density B Area, the following applies:

a. Where site coverage is above 40 per cent, but not exceeding 45 per cent, then the following requirements apply:

- The maximum height of any dwelling shall be 5.5 metres;
- The side boundary closest to the garage shall be landscaped from the road boundary for a width of a 600 mm and depth of at least 4.5 metres, so as to form a hedge along that boundary;
- Each front yard shall maintain a 6.5 metre width, or in the case of allotments between 10 and 10.4 metres wide, a 6 metre width shall be maintained (measured parallel to the road or right of way, as the case may be) for its entire depth that does not contain any of the following: driveway, garage, carport, vehicle parking and manoeuvring areas.

b. “Front yard” is to be understood as follows:

*“Interpretation*

- (i) *The front yard is that part of the site between the road or right of way and the front walls to the dwelling that face the road or right of way.*
- (ii) *For the purposes of this condition, in the case of corner sites there shall only be one front yard as determined by (i) above.”.*

4. That for Lots 439 to 443 and Lots 478 to 484, all of which are in the Density B Area, the following applies:

a. Where site coverage is above 40 per cent, but not exceeding 45 per cent, then the following requirements apply:

- The maximum height of any dwelling shall be 5.5 metres;
- The side boundary closest to the garage shall be landscaped from the road boundary for a width of a 600 mm and depth of at least 4.5 metres, so as to form a hedge along that boundary;
- Each front yard shall maintain a 6.5 metre width, or in the case of allotments between 10 and 10.4 metres wide, a 6 metre width shall be maintained (measured parallel to the road or right of way, as the case may be) for its entire depth that does not contain any of the following: driveway, garage, carport, vehicle parking and manoeuvring areas.

b. “Front yard” is to be understood as follows:

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- (ii) *For the purposes of this condition, in the case of corner sites there shall only be one front yard as determined by (i) above.”.*

c. Where site coverage is greater than 45 per cent, but not exceeding 50 per cent, then the requirements in clauses a. and b. above shall apply, but in addition, the following requirement also applies:

- The cladding of the front elevation of any dwelling unit must be different in materials and finished colour to any dwelling units on adjoining sites, but with the exception that if the dwelling is a part of a duplex it may be finished in the same colours and materials as the other unit in the duplex.

5. That for Lots 390, 397 to 399, 424, 436, 461 to 463, 477, 523, 524, 529, 546 to 559, 567 to 569, 575 to 604, 613 to 618, 622 to 643 and 647 to 657, all of which are in the Density C Area, the following applies:

a. Where site coverage is above 35 per cent, but not exceeding 40 per cent, then the following requirement applies:

- The maximum height of any dwelling shall be 5.5 metres;

**Reported and Recommended by:** Paul Lowe, Senior Planner

**Date:** Senior Planner

**Decision**

That the above recommendation be adopted for the reasons outlined in the report.

**Resource Management Officer Sub-Committee:**



O'Connell, Nathan  
17/01/2014 11:50 AM  
Planning Team Leader



Burgess, Jesse  
17/01/2014 4:51 PM  
Planning Team Leader (Acting)